

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Genevieve Lamont	Team: Squad #8	CCRB Case #: 201903068	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/03/2019 6:04 PM	Location of Incident: [REDACTED]	Precinct: 52	18 Mo. SOL 10/3/2020	EO SOL 5/20/2021	
Date/Time CV Reported Tue, 04/09/2019 12:53 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 04/09/2019 12:53 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Anthony Saline	12924	962081	052 PCT
2. SGT Jonathan Rivera	02049	949550	052 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Bart Glowa	25394	963047	052 PCT
2. POM Marlon Wright	29461	942726	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Anthony Saline	Force: Police Officer Anthony Saline used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
B.POM Anthony Saline	Force: Police Officer Anthony Saline used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
C.POM Anthony Saline	Abuse: Police Officer Anthony Saline did not obtain medical treatment for § 87(2)(b) [REDACTED]	[REDACTED]
§ 87(4-b), § 87(2)(g) [REDACTED]	[REDACTED]	[REDACTED]
§ 87(2)(g) [REDACTED]	[REDACTED]	[REDACTED]
§ 87(2)(g) [REDACTED]	[REDACTED]	[REDACTED]

Case Summary

On April 9, 2019, § 87(2)(b) filed the following complaint with the CCRB by phone.

On April 3, 2019, at approximately 6:04 p.m., § 87(2)(b) was in front of a private garage at § 87(2)(b) in the Bronx. He was with his friend, § 87(2)(b) and was on his Moped. As he pulled out into the street, a police vehicle with two officers, PO Anthony Saline and Sgt. Jonathan Rivera of the 52nd Precinct, pulled up. PO Saline exited the vehicle and allegedly pushed § 87(2)(b) to the ground (**Allegation A: Force; § 87(2)(g)**). § 87(2)(b) fell to the ground, then stood up and began running to the sidewalk. PO Saline pursued, and allegedly took him to the ground and handcuffed him (**Allegation B: Force; § 87(2)(g)**). Two other officers, PO Bart Glowa and PO Marlon Wright of the 52nd Precinct, assisted in transporting § 87(2)(b) to the 52nd Precinct stationhouse. § 87(2)(b) allegedly repeatedly requested medical treatment on his transport to and at the 52nd Precinct stationhouse (**Allegation C: Abuse of Authority; § 87(2)(g)**). § 87(2)(b) was processed through central booking and later went to § 87(2)(b) in the Bronx on April 4, 2019.

§ 87(4-b), § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Surveillance footage, which captured parts of the incident, was also obtained by the investigation [BR05].

Findings and Recommendations

Allegation (A) Force: Police Officer Anthony Saline used physical force against § 87(2)(b)

Allegation (B) Force: Police Officer Anthony Saline used physical force against § 87(2)(b)

While it remains disputed as to whether PO Saline pushed § 87(2)(b) off his Moped, PO Saline acknowledged using a forcible takedown on § 87(2)(b). § 87(2)(b) testified that as he was pulling out of the garage and onto the street, a police vehicle pulled up into the garage driveway. PO Saline exited the vehicle and pushed § 87(2)(b) off the Moped. § 87(2)(b) did not see or feel where on his body PO Saline pushed him. PO Saline did not issue any commands prior to this. § 87(2)(b) landed on a parked car in front of § 87(2)(b); the force with which he landed caused one of the car taillights to break. He then stood up and began to cross the street. PO Saline ran after him, asking him where he was going. § 87(2)(b) went the ground on his own and PO Saline then handcuffed him. No officer assisted in handcuffing § 87(2)(b) [BR06]. § 87(2)(b) a friend of § 87(2)(b) who was present during the incident, provided consistent testimony regarding the introduction of this incident, however he stated that PO Saline pushed § 87(2)(b) to the ground before handcuffing him [BR07].

PO Saline testified that he and Sgt. Rivera went to the location to address an ongoing noise complaint issue at the garage. Upon arriving, he observed four individuals, among them § 87(2)(b) on Mopeds, who were not wearing helmets and were not equipped with license plates. As they pulled up, the four individuals fled; three of them went down the street, and § 87(2)(b).

§ 87(2)(b) drove onto the street, right in front of the police vehicle. PO Saline exited the car, accidentally putting the car into reverse rather than park. As § 87(2)(b) passed, PO Saline grabbed § 87(2)(b) shoulder, who then accelerated out of PO Saline's grasp. He moved across the street, but lost control of the Moped and fell to the ground. He stood up and ran to the sidewalk, with PO Saline pursuing him, ordering him to stop once or twice. When PO Saline caught up to § 87(2)(b) he pushed him to the ground, but did not recall where on his body he pushed him. Both men fell to the ground, and PO Saline handcuffed § 87(2)(b). He did not use any other physical force against § 87(2)(b). He stated that § 87(2)(b) was arrested for reckless endangerment, based upon how he was driving [BR08]. PO Saline stated that a TRI report was prepared for § 87(2)(b) but two requests for the report by the investigation yielded negative results [BR09 and BR10, respectively].

Sgt. Rivera's testimony varied from PO Saline. Sgt. Rivera, who was in the passenger seat, first observed § 87(2)(b) on the street, driving towards them against traffic. He did not observe § 87(2)(b) drive on the sidewalk, but believed that PO Saline observed more of the incident, based upon the differing narrative in § 87(2)(b) police report [BR11]. Sgt. Rivera stated that PO Saline accidentally placed the car in neutral, and he attempted to place the car in park while PO Saline pursued § 87(2)(b). Sgt. Rivera did not observe PO Saline take § 87(2)(b) to the ground, but was later informed by PO Saline that a forcible takedown was used [BR12].

Surveillance footage of the incident captured two individuals on Moped driving down the sidewalk [BR05]. Both PO Saline's and Sgt. Rivera's BWC's were activated after § 87(2)(b) was handcuffed, and any prior actions taken were not captured [BR01 and BR02, respectively]. PO Saline stated that he activated his body-camera, but that it fell to the ground once he exited the vehicle.

§ 87(2)(g)

Allegation (C) Abuse of Authority: Police Officer Anthony Saline did not obtain medical treatment for § 87(2)(b)

It remains disputed if PO Saline ignored § 87(2)(b) request for medical treatment. § 87(2)(b) testified that when he fell to the ground, he sustained multiple lacerations on his thumb, hands, arms, shoulder, and knee [BR13 through BR18, respectively]. As he was being transported to the 52nd Precinct stationhouse, § 87(2)(b) asked PO Saline and Sgt. Rivera for medical attention three to four times, both in Spanish and English. He again asked PO Saline for medical attention while he was being fingerprinted at the stationhouse, which the officer ignored. He asked the cell attendant five to six times for medical attention while in the holding cell, to which the cell attendant informed him that he would text PO Saline. PO Saline did not return to the holding cell until he released § 87(2)(b). After § 87(2)(b) was released from central booking, he went to § 87(2)(b) in the Bronx, where he was prescribed pain medication and vitamins, and was given a brace for his left arm [BR06].

According to his medical records, § 87(2)(b) sustained multiple abrasions to different parts of his body, which resulted in swelling and a decreased range of motion on his left thumb, middle right finger, and front right knee [PD01]. § 87(2)(b) testified that he overheard § 87(2)(b) requesting the officers call him an ambulance on scene , as he did not feel well [BR07].

PO Saline testified that while on scene, he did not observe any physical injuries on § 87(2)(b) nor did he complain of any injuries. While PO Saline was fingerprinting § 87(2)(b) he observed a small cut on his thumb, and gave him a Band-Aid. He asked § 87(2)(b) if he wanted medical attention, which he refused. § 87(2)(b) did not request medical treatment from PO Saline or any officer during the incident [BR08]. Sgt. Rivera testified that § 87(2)(b) did not request medical attention during the incident and did not have any visible injuries on him [BR12]. BWC footage from PO Saline, Sgt. Rivera, PO Glowa and PO Wright did not show § 87(2)(b) requesting medical attention, however the footage did not capture the entirety of the incident [BR01, BR02, BR03, and BR04, respectively].

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint in which § 87(2)(b) is a party [BR19].
- PO Saline has been a member of service for three years, and was subject in four prior CCRB complaints and six allegations, none of which were substantiated. § 87(2)(g) He currently has three other open CCRB cases.
 - Case #20103012, in which § 87(2)(g) three vehicle stop and three vehicle search allegations are pled, is under investigation.
 - Case #201903406, in which § 87(2)(g) a refusal to obtain medical treatment allegation is pled, is under investigation.
 - Case #201907274, in which a vehicle stop and vehicle search allegation is pled, is currently under board review, in which the complainant was uncooperative.
- Sgt. Rivera has been a member of service for nine years and has been a subject in seven prior CCRB complaints and 11 allegations, none of which were substantiated. § 87(2)(g)
 - Case #201901368, in which a strip-search allegation is pled, is currently under investigation.
 - Case #201907274, in which a vehicle stop, vehicle search, and a seizure of property allegations are pled, is currently under Board Review.

Mediation, Civil and Criminal Histories

- This complaint was unsuitable for mediation due to § 87(2)(b) arrest.
- As of September 13, 2019, § 87(2)(b) has not filed a Notice of Claim with the New York City Office of the Comptroller regarding this incident [BR20].
- According to the Office of Court Administration (OCA), § 87(2)(b) currently has an open case for this arrest and is scheduled to appear in court on § 87(2)(b) [BR21].

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date